

NH DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE DIRECTIVE	CHAPTER <u>Health Services</u> STATEMENT NUMBER <u>6.09</u>
SUBJECT: TOBACCO FREE DEPARTMENT	EFFECTIVE DATE <u>04/15/04</u> REVIEW DATE <u>03/15/05</u> SUPERCEDES PPD# <u>6.09</u> DATED <u>11/15/03</u>
ISSUING OFFICER: <u>Mrs. Les Dolecal, Acting Commissioner</u>	DIRECTOR'S INITIALS _____ APPENDIX ATTACHED: YES _____ NO _____
REFERENCE NO: See reference section on last page of PPD.	

I. PURPOSE:

To protect the public, the health of inmates and staff, and the environment by prohibiting the use of tobacco in all departmental facilities.

II. APPLICABILITY:

To all Division Directors and Wardens, their staff and all persons who utilize or come into areas for which the Division Director is responsible.

III. POLICY:

It is the policy of the Department of Corrections to substantially comply with both the spirit and intent of RSA 155:64 (attachment 1). To that end, the Department will protect the public, the health of inmates and staff, and the environment by prohibiting smoking at all facilities. For the purpose of this subpart, smoking is defined as carrying or inhaling a lighted cigar, cigarette, pipe or other lighted tobacco products. This is to also include chewing tobacco products.

IV. PROCEDURE:

- A. No person shall smoke or bring tobacco products onto institutional grounds. Tobacco products may be secured in personal vehicles.
- B. Tobacco and tobacco products are contraband per RSA 642:7 (attachment 2)
- C. Tobacco and tobacco products are prohibited in all departmental vehicles.
- D. No departmental employee having custody of or supervising inmates shall smoke (such as transporting inmates, supervising work crew off grounds, etc.)
- E. Anyone found in violation of this policy will be subject to disciplinary action.
- F. Community Corrections Centers:
 - 1. Smoking is allowed in designated areas outside Calumet House and Shea Farm. No smoking is allowed at the North End House. Non combustible receptacles will be provided in these areas. All receptacles will be emptied and cleaned daily. Residents are expected to dispose of their smoking materials properly.
 - 2. Smoking is prohibited inside the centers. Any resident found smoking inside the center will be returned to custody.

REFERENCES:

Standards for the Administration of Correctional Agencies
Second Edition. Standards

Standards for Adult Correctional Institutions
Fourth Edition Standards

Standards for Adult Community Residential Services
Fourth Edition. Standards

Standards for Adult Probation and Parole Field Services
Third Edition. Standards

Other

**NH RSA 155:57 - 155:63
642:7**

MACLEOD/pf

Attachments

Indoor Smoking Act

Section 155:64

155:64 Purpose. – The purpose of this subdivision is to protect the health of the public by regulating smoking in enclosed workplaces and enclosed places accessible to the public, regardless of whether publicly or privately owned, and in enclosed publicly owned buildings and offices. This subdivision also regulates smoking in public housing facilities, health care facilities, public primary and secondary educational facilities, and in public conveyances operating within the state. This subdivision shall not be construed as addressing airborne contaminants including toxic, chemical, or biological substances that may be present in indoor air other than tobacco smoke.

Source. 1990, 236:2, eff. Jan. 1, 1991.

Section 642:7

642:7 Implements for Escape and Other Contraband. – A person is guilty of a class B felony if:

I. He knowingly provides a person in official custody, as defined in RSA 642:6, II, with anything which may facilitate such person's escape or the possession of which by such person is contrary to law or regulation, or in any other manner facilitates such person's escape; or

II. Being a person in official custody, as defined in RSA 642:6, II, he knowingly procures, makes or possesses anything which may facilitate escape.

Source. 1971, 518:1, eff. Nov. 1, 1973.